

REMARKS

This Amendment is in response to the Office action dated December 14, 2006 and accompanies a petition for a three month's extension of time to June 14, 2007. The Office action objects to claims 104, 111, 123, and 126 for formatting issues and claims 108, 111, 112, and 121-126 under 35 U.S.C. §112 second paragraph. Applicants have amended claim 104 according to the examiner's recommendation and recognize the amendment as a broadening amendment. Applicants submit that previously presented claims 111, 123, and 126 fully meet the requirements of 35 U.S.C. §112 second paragraph. However, in the interest of expediting prosecution, applicants have amended these claims by rearranging the order of three words in each of the claims to address the examiner's objection based on grammar.

The Office action dated December 14, 2006 no longer includes a prior art rejection under 35 U.S.C. §103(a). The applicants thank the examiner for recognizing the novelty and non-obviousness of the pending claims. The applicants respond as follows.

SECTION 112 REJECTIONS

The Office action rejects claims 108, 111, 112, and 121-126 on page 3 as being "incomplete for omitting essential elements, such omission amounting to a gap between the elements." Applicants submit that claims 108, 111, 112, and 121-126 fully meet the requirements of 35 U.S.C. §112 second paragraph and submit that these claims do not omit essential elements. While the applicants have exercised economy of language in several claim recitations, they have not omitted essential elements and the claims particularly point out and distinctly claim the subject matter which the applicants regard as their invention. However, in the interest of expediting prosecution, applicants have amended these claims to comply with the examiner's specific request.

Applicants re-assert the arguments presented in the last Amendment that shortening the term 'the subset of the digital images' to "the subset" meets all of the requirements of 35 U.S.C. §112 as there is only one subset recited in claim 108 (i.e., "the subset of the digital images" as recited in line 9). Thus, there were no essential elements omitted and no ambiguity as to what subset the applicants were referring to in previous claim 108. It is a commonly accepted practice to utilize economy of language when referring to a claim term

previously introduced that is several words long. This practice keeps claims concise and improves their readability, which allows the public to better understand what the boundaries are of a particular invention.

Applicants also submit that there were no essential elements omitted and no ambiguities as to the shortened terms used in previous claims 111, 112, and 121-126. The applicants exercised economy of language in those claims, but did so maintaining proper antecedent basis and sufficient language to ensure that no ambiguities existed within the claims.

In view of the foregoing, it is respectfully submitted that the above application is in condition for allowance. Applicants therefore respectfully requests that a timely Notice of Allowance be issued in this case. If there is any matter that the examiner would like to discuss, the examiner is invited to contact the undersigned representative at the telephone number set forth below.

Dated: June 14, 2007

Respectfully submitted,

By /Anthony G Sitko/
Anthony G. Sitko
Registration No.: 36,278
MARSHALL, GERSTEIN & BORUN LLP
233 S. Wacker Drive, 6300 Sears Tower
Chicago, Illinois 60606-6357
(312) 474-6300
Attorneys for Applicant